

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

MARK SANTAS, Register No. 1028501,)	
)	
Plaintiff,)	
)	
v.)	No. 06-4025-CV-C-SOW
)	
ARTHUR WOOD, et al.,)	
)	
Defendants.)	

ORDER

On June 28, 2006, the United States Magistrate Judge recommended that plaintiff's motion for a preliminary injunction and temporary restraining order be denied. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on July 19, 2006. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

Plaintiff's allegations seeking preliminary injunctive relief are, in essence, seeking his release from administrative segregation. Allegations that he is restricted to administrative segregation if he refuses to sign enemy waivers as to persons within the population of the prison where he is confined, do not set forth claims warranting preliminary injunctive relief. If plaintiff is concerned for his safety, it appears he may remain in administrative segregation. Furthermore, plaintiff is proceeding on his claims directly related to his request for preliminary injunctive relief, specifically the process which is requiring him to remain in administrative segregation.

IT IS, THEREFORE, ORDERED that the Magistrate Judge's June 28, 2006 Report and Recommendation is adopted [16]. It is further

ORDERED that plaintiff's motion for a preliminary injunction and temporary restraining order is denied [13].

/s/Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Dated: August 7, 2006